

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

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U.S. DISTRICT COURT  
FLORENCE, SC  
2010 MAR -2 A 9:20

Jeanette Etheredge,

Plaintiff,


v.

Michael J. Astrue, Commissioner  
of Social Security,

Defendant.

Civil Action No. 4:08-3167-SB

**ORDER**



This matter is before the Court on the Plaintiff's action for judicial review, pursuant to Section 205(g) of the Social Security Act, as amended (42 U.S.C. § 405(g)), of a final decision of the Commissioner of Social Security, which denied the Plaintiff's claim for disability insurance benefits and supplemental security income. The record includes a report and recommendation ("R&R") of a United States Magistrate Judge, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(a). In the R&R, filed on February 18, 2010, the Magistrate Judge recommends that the Court reverse the Commissioner's decision pursuant to sentence four of 42 U.S.C. § 405(g) and 1383(c)(3) and remand the case to the Commissioner for further consideration. In a notice filed on February 26, 2010, the Defendant informed the Court that he will not file objections to the R&R. Likewise, in a notice filed on March 1, 2010, the Plaintiff informed the Court that she will not file objections to the R&R.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985). Here, because no objections were

filed, the Court need not conduct a de novo review of any portion of the R&R. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of the Court, and it is

**ORDERED** that the decision of the Commissioner of Social Security is reversed pursuant to sentence four of 42 U.S.C. § 405(g), and the case is remanded to the Commissioner for further consideration.

**IT IS SO ORDERED.**

  
The Honorable Sol Blatt, Jr.  
Senior United States District Judge

March 1, 2010  
Charleston, South Carolina

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